

TOWN OF TRURO
BOARD OF SELECTMEN
MEETING OF WEDNESDAY, MAY 4, 2005

The Truro Board of Selectmen met for their weekly session on Wednesday, May 4, 2005 at 6:00 p.m. at the Truro Town Hall, 24 Town Hall Road, Truro. In attendance were: Chairman Alfred Gaechter, Vice-Chairman Christopher R. Lucy, Clerk Gary Palmer, Lloyd F. Rose, Paul J. Asher-Best, Town Administrator Pamela Nolan, Assistant Town Administrator John J. Sanguinet, Administrative Secretary Julie DuPree, Kevin Kuechler, Paul Morris, Fred DeSousa, Carol Nickerson, Betty Groom, Lucille Boyd, Mark Peters, Ray LeDuc, Roberta Lema, Skip Childs, Chief Prada, Jan Worthington, Janice Parkey, Mike Snell, Jo Johnson, Christina Michaud, Karen Hathaway, Bill Phillips, Roger Beatty, Lynne Newton, Martha Nagy, Norman Edinberg, Mike Iacuessa of the Banner, Eric Williams of the CC Times, and Steve Desroche of the Cape Codder.

Mr. Gaechter convened the meeting at 6:00 p.m.

Minutes: Mr. Palmer moved to approve the minutes of April 20, 2005 as presented. Mr. Lucy seconded it. **Vote: 4-0, unanimous.**

Mr. Palmer moved to approve the minutes of the special meeting of April 23, 2005 as presented. Mr. Lucy seconded it. Vote: 4-0, unanimous.

Public Comment: There was no public comment.

Curb cut: Mr. Palmer moved to approve the curb cut request for 398 Shore Road. Mr. Gaechter seconded it. **Vote: 5-0, unanimous. (Mr. Asher-Best had arrived for this vote).**

Resignation: Mr. Gaechter moved to accept the resignation of Mr. Foster from the COA with regret and that a letter of gratitude be sent to him. Mr. Asher-Best seconded it. **Vote: 5-0, unanimous.**

BOFE: Mr. Gaechter moved to reappoint the members of the BOFE by unanimous consent. There was no objection; it was so moved.

Taxation Aid Committee: Mr. Palmer moved to form a Taxation Aid Committee. Mr. Gaechter seconded it. **Vote: 5-0, unanimous.** Mr. Palmer moved to approve the draft charge to the Taxation Aid Committee as written. Mr. Asher-Best seconded it. **Vote: 5-0, unanimous.** Ms. DuPree was directed to advertise this new committee.

Update on the North of Highlands Campground: This property is for sale. Mr. Gaechter told the Board that the NPS is very interested in purchasing this so that it remains a campground. The Trust for Public Land has been asked to be a mediator between the owners and the NPS in arriving at an appropriate purchase price. Legislation is required in Congress to fund this purchase. The Board has been asked to put together letters of support to send to our legislators, the Secretary of the Interior and Representative Gomes, among others. If this purchase is successful, the NPS will take ownership of the land and agree to concessionaire contracts to run it. The owners have agreed to stay on for a number of years, and after that, the NPS will pursue another entity to run it, using the same Concession process as they do with the Golf Course. **Mr.**

Asher-Best moved to have Mr. Gaechter and Ms. Nolan draft said letters. Mr. Palmer seconded it. Vote: 5-0, unanimous.

North Truro Village Ad Hoc Committee: Nine applicants were interviewed to serve on this seven-member committee. Mr. DeSousa said he was interested in what is going on there as a business owner; he has knowledge of the area. Mr. Edinberg was involved in the last study, and is interested in seeing economic development and affordable housing in the area. Ms. Hathaway of Dutra's Market said she has a front row seat there, and has knowledge she could bring to the committee on things like traffic flow, etc. Ms. Johnson grew up here, is an abutter and business owner, served on the Partnership, and can bring her knowledge of the history of the area. Mr. LeDuc also lives in the area and has an interest in affordable housing. He feels it will be productive to work with those in the impacted area. Ms. Michaud also lives in the area, feels low income housing is desperately needed in town and wants to be sure it all goes nice and smooth. Ms. Parkey said she was one of the original members of the citizen's group, is committed to the town and would love to see something happen in North Truro. Mr. Peters lives in the area and is hoping to address pedestrian access to NT village. He also has concern for the deplorable development of one side of Highland Road and would like to see it rehabilitated, which will require time, effort and money. Road run-off and drainage into the nearby pond has long been a problem also. He pledged his effort, time and expertise. Mr. Steinman, one of the other members of the citizen's group could not be here as he lives in Boston during the week. The Board will follow their appointment policy and make these appointments at their next meeting.

Bells, bells, bells: Mr. Gaechter gave an overview of the letter received from DEP. It calls for a reduction in the time, duration and intensity of the bells, but they are not taking legal action at this time. We were given an extension of May 15th to respond to them. Mr. Morris reported his conversation with the former Clerk of the Works, Colin Dutton regarding the use of louvers. He said that directing the sound upwards was not recommended. Mr. Gaechter reported on his conversation with Craig Hunt of DEP regarding the use of reverse louvers. The application of Plexiglas is also an option. Mr. Morris discussed his concern with the cost of maintaining the bells. It can easily be made to ring a 12 hour schedule, but 8 hours will take more work. Mr. Asher-Best suggested that the old mechanism should be replaced with something more modern. Mr. Morris thought perhaps that was a good idea; we have changed the dynamics of an old mechanism that was designed to run 24/7. Mr. Gaechter recommended that the BOS continue to look into these things, and while they do, the bells should remain off. Ms. Nolan said they need to have a specific plan and what they want to spend. Mr. Phillips spoke about the historical value of the bells, and that they should ring the bells with respect and maintain the old mechanism for future generations. He thought the louvers may have acted as a protection for the bells. Ms. Nolan was directed to see if any money is left from the steeple restoration fund. Mr. Snell urged the Board to use an expert for guidance. Mr. Gaechter directed Ms. Nolan to draft an answer to the DEP with him and to bring the matter back as an agenda item in one month's time. Mr. Snell suggested that the BOS consider many options before making their decision, and if the bells were to ring hourly and not every 15 minutes, for 8-9 hours at the current sound level, the problem might be solved because the problem is not just the sound, but the every 15 minute part is hard to live with. Ms. Newton requested that if they adjust the intensity of the sound, that they

try it for a while and ask for feedback from the neighbors.

Town Administrator's Report:

- Reported on various meetings/workshops the Board has been invited to attend.
- Reported that the Recreation Director interviews have begun. We are seeing 7 out of 11 applicants.
- Golf Course rates and schedule have been approved by the NPS.
- Received a request for letters of support for the establishment of a 340B pharmacy on the Outer Cape and the funding that will be necessary to do so. **Mr. Asher-Best moved to send these letters. Mr. Gaechter seconded it. Vote: 5-0, unanimous.** Ms. Nolan and Mr. Gaechter will draft them.
- Announced that there will be a Health Fair on May 25, 2005 at the Truro Central School.
- Announced that she had put a complaint form on the town's web site. Mr. Delius will work to get this so that citizens can fill it out on-line, and it will come directly to her office. She will also work on a tracking devise to track the outcome of all complaints.

Selectmen/Liaison Reports:

Lucy: -Received a call from the Mr. Dutoit. He questioned if Mr. Martin had removed more soil. Mr. Lucy went to look but found no evidence of it. Mr. Gaechter also checks on a daily basis, and agreed that there has been no activity of removal on the hill, but he did notice there has been a landslide in another area. Ms. Nolan was directed to let Town Counsel know that he may get a call from the Dutoit's attorney.

- Questioned the status of the DNA letter. Ms. Nolan will get an answer on that.
- Apprised the Board that they will be receiving a citizen's petition to have part of Old King's Highway maintained by the town. This sparked a discussion on whether there was a policy in place on the maintenance of private roads and what would be the town's liability if public safety vehicles cannot navigate a private road. Ms. Nolan will contact Town Counsel on this.
- Questioned what was next for the Community Center Project. Mr. Gaechter told him it would be on next week's agenda--but just a discussion among the BOS. He intends to fulfill his pledge that there would be a new plan within a year's time.

Gaechter: -Reported that there has been an incident of willful and intentional destruction of a plover nest by someone on an ATV. It was reported to the Beach Superintendent and the police. Tracks were followed, but they couldn't identify an individual. This is a despicable act by someone with total disrespect for rules and it could cause the State to come in and shut the beach. He asked that if anyone saw such an act that they report it immediately.

- Reported that the LCPC has met and assigned their members to each multi-member body that is responsible for implementing a portion of the LCP. Mr. Edinberg has been assigned to the BOS, and he has requested to be on the June 15th agenda. Mr. Gaechter directed Ms. Nolan to provide the BOS with copies of their responsibilities so they can go over them before that meeting.
- Open Space is working diligently to get the purchase of the Poor property underway. The matter is between our two counsels now, but the BOS must set the escrow amount for the mineral rights.

- Palmer:** -Reported that at the BOH meeting they did not have information from ZBA on the Cape Shores matter. Discussion ensued on the need for the routing slip.
- Reported that the Housing Authority formally rejected Provincetown's offer of the Peters house. They are working on a TAP grant application.
 - East Cape Engineering has provided a cost proposal for engineering plans and specifications for the repair work needed on the Pilgrim Lake sluiceway. **Mr. Palmer moved to accept their cost proposal. Mr. Asher-Best seconded it.** Mr. Palmer requested that such work be coordinated with the NPS. Mr. Lucy said he would like the NPS to help pay for this work. Mr. Asher-Best questioned the need for the town to own this. Mr. Gaechter said that the Acting Superintendent would like to meet with Ms. Nolan and him, and that she should be sure this is on the agenda. **Vote: 5-0, unanimous.**
- Asher-Best:** -Asked for an update on the video equipment. Mr. Sanguinet drafted a contract which Town Counsel is reviewing. It will be sent to the bid winner, and if he doesn't respond in the amount of time required, the job will go to the next highest bidder.
- Reported that a citizen asked him about commercial sea clam harvesting. He would like to see the town extend its jurisdiction of sea clams out further in the bay. Mr. Asher-Best thought that if this would provide even three new jobs it was worth looking into. The first step would be to speak with the Shell Fish Warden.
 - Reported that the new subdivision on Castle Road have lots that contain broom crowberry, which is a protected species. The Conscom should be made aware of this.
 - Asked that the BOS Goals and Objectives be made an agenda item. They should be reviewed again by June 30th.

Other Business: Ms. DuPree asked the Board to approve her annual report to the Alcoholic Beverage Control Commission. **Mr. Asher-Best moved to approve the 2005 report to the ABCC. Mr. Palmer seconded it. Vote: 5-0, unanimous.**

Next Agenda: Following the May 10th election, the Board will reorganize.

At 7:48 p.m., Mr. Palmer moved the Board enter into Executive Session under the provisions of MGL Chapter 39, Section 23B to consider the lease of property with Provincetown and to not reconvene in Open Session. Roll Call Vote: Asher-Best, aye; Palmer, aye; Gaechter, aye; Lucy, aye; Rose, aye. 5-0, unanimous.

Alfred Gaechter, Chairman

Christopher R. Lucy, Vice-Chairman

Gary Palmer, Clerk

Lloyd F. Rose

Paul Asher-Best

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Town of Truro